

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. CR05-281-JLR-JPD
v.)	
)	
LEONARDO RIVAS-BARROETA,)	DETENTION ORDER
)	
Defendant.)	
_____)	

Offense charged:

Conspiracy to distribute methamphetamine, cocaine, and heroin in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 846.

Date of Detention Hearing: July 28, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. No conditions would reasonably assure the presence of defendant at the time of trial, and defendant has not overcome these presumptions.


(2) The pretrial services report of July 28, 2005, indicates that defendant was born in Venezuela, but his immigration status in the United States is unclear.

01 (3) During defendant's interview by Pretrial Services on July 27, 2005, defendant
02 was asked what he would do if released from custody. The defendant responded that he would
03 take his fiancé to Venezuela.

04 IT IS THEREFORE ORDERED:

- 05 (1) Defendant shall be detained pending trial and committed to the custody of the
06 Attorney General for confinement in a correction facility separate, to the extent
07 practicable, from persons awaiting or serving sentences or being held in custody
08 pending appeal;
- 09 (2) Defendant shall be afforded reasonable opportunity for private consultation with
10 counsel;
- 11 (3) On order of a court of the United States or on request of an attorney for the
12 government, the person in charge of the corrections facility in which defendant
13 is confined shall deliver the defendant to a United States Marshal for the purpose
14 of an appearance in connection with a court proceeding; and
- 15 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
16 counsel for the defendant, to the United States Marshal, and to the United States
17 Pretrial Services Officer.

18 DATED this 28th day of July, 2005.

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21 JAMES P. DONOHUE
22 United States Magistrate Judge
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